

1 IN THE COUNTY COURT OF THE STATE OF OREGON  
2 FOR LINCOLN COUNTY

3 In the Matter of the Permit )  
4 to Lay Pipeline upon County ) ORDER  
5 Road Right of Way )

6 Based upon the application of Georgia-Pacific Corporation filed  
7 herein on August 12th, 1964, for a permit to lay a pipeline within that  
8 portion of Old Highway 20, County Road No. 562, which extends for a  
9 distance of 15 feet east of the section line common to Sections 8 and 9  
in Township 11 South, Range 11 West, W.M., in Lincoln County, Oregon,  
it is hereby

10 ORDERED that the permit applied for in said application be and  
11 the same is hereby granted upon the terms and conditions in said applica-  
12 tion set forth and agreed to by said Georgia-Pacific Corporation. It is  
hereby further

13 ORDERED that this permit be entered of record in the County  
Court Journal of Lincoln County, Oregon.

14 DATED at Newport, Oregon, this 3 day of September, 1964.

15 Bill Miller  
16 County Judge

17 David S. Moffitt  
18 County Commissioner

19 David S. Brown  
20 County Commissioner

21 D. M. Huddleston  
22 County Engineer

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1 IN THE COUNTY COURT OF THE STATE OF OREGON

2 FOR LINCOLN COUNTY

3 APPLICATION FOR A PERMIT TO )  
4 LAY PIPELINE UPON A COUNTY )  
5 ROAD RIGHT OF WAY IN LINCOLN )  
6 COUNTY, OREGON )

7 On this day comes GEORGIA-PACIFIC CORPORATION, a Georgia  
8 corporation, and applies to this court for a permit to lay a pipeline within  
9 that portion of Old Highway 20, County Road No. 562, which extends for a  
distance of 15 feet east of the section line common to Sections 8 and 9 in  
Township 11 South, Range 11 West, W.M., in Lincoln County, Oregon.

10 The permittee does hereby agree with said Lincoln County that if  
11 said permit herein requested is granted and allowed by this court that said  
12 permittee will comply with and fully perform the following covenants and  
13 conditions:

- 14 1. That the said pipeline will be laid at a depth of not less than  
15 3 feet under the surface of said right of way.
- 16 2. That said permittee will lay said pipeline in such manner as  
17 will not interfere with or in any way obstruct future develop-  
18 ment of said road. The permittee agrees that all damages to  
19 the road, or any part thereof, and any damages to existing  
20 water lines, sewer lines, culverts, utility poles and etc.  
21 caused by permittee in placing, repairing or excavating for  
22 the purpose of placing, replacing or repairing said pipeline  
23 or the leakage therefrom shall be the obligation of the per-  
24 mittee and at their own expense.
- 25 3. That said permittee will lay said pipeline in such manner  
26 as shall be directed by the County Engineer of Lincoln County,  
27 Oregon, and will comply with all requirements made by said  
28 engineer. That said permittee will furnish maps and charts  
29 showing the location and details of said pipeline if so requested  
30 by the County Engineer.
4. That in the event of any future road construction repair by  
the County which requires temporary removal of said pipeline  
that upon receipt from the County of written notice requiring  
such removal the same shall be removed by permittee immedi-  
ately. That the cost and expense of such temporary removal and  
replacement of said pipeline shall be borne solely by the  
permittee.
5. That the permittee shall save and hold Lincoln County, Oregon,  
its officers, agents and employees, harmless from any damage  
or claim of any nature which may be made by the permittee or  
any other person, firm or corporation incident to the construc-  
tion, maintenance or existence of said pipeline. That the per-  
mittee shall indemnify the said county against any loss which  
may be incurred by said county as a result of the existence of  
said pipeline or the construction thereof.

1 6. All trenches or ditches excavated pursuant to the terms and pro-  
2 visions of this permit shall be backfilled as follows and the back-  
3 fill material shall be thoroughly compacted by tamping or puddling  
4 or both:

5 a. Where existing pavement is cut: The trench shall be  
6 backfilled with Class B backfill material to within  
7 8 inches of the top, the next 5 inches shall be filled with  
8 1- $\frac{1}{2}$ -inch minus crushed rock or road gravel, and the  
9 final 3 inches shall be paved with asphaltic concrete  
10 paving placed in two equal lifts.

11 b. Where ditches are excavated on the shoulder of the road  
12 and the pavement is not cut: The trench shall be back-  
13 filled to within 8 inches of the top, and the top 8 inches  
14 filled with 1- $\frac{1}{2}$ -inch minus crushed rock or road gravel,  
15 mounded and compacted.

16 c. On portions of right of way outside of the shoulders and  
17 traveled portion of said County Road: Ditches and trenches  
18 shall be backfilled with Class C backfill.

19 7. The permittee hereby agrees that if it be necessary in the future  
20 development of County Road No. 562 to remove, replace or in  
21 any way realign said pipeline, then the permittee will upon the  
22 request of Lincoln County, cause same to be removed, replaced  
23 or realigned at their own expense and all such work and installa-  
24 tion shall meet with the approval of Lincoln County, its engineer  
25 or road master. Such approval of instructions shall not be con-  
26 strued as placing any responsibility in Lincoln County. The  
27 permittee by signing this application agrees to all of the terms  
28 and conditions hereof and hereby further agrees that the said  
29 permit if issued shall be subject to all of the terms and conditions  
30 hereinabove set forth.

8. Permittee agrees to maintain all that part of the traveled portion  
of the road above described and shoulders thereof that are damaged  
or opened by it pursuant to the permit herein applied for for a  
period of one year from the date all of the backfill material has  
been placed. In the event that during said one year period per-  
mittee fails to perform such maintenance work as may be  
necessary upon such parts of the road above referred to within  
a reasonable time after notification so to do by the county, the  
county may perform such maintenance work and recover the cost  
thereof from permittee.

9. Permittee agrees that the permit herein applied for may be can-  
celed by the Lincoln County Court for violation of any of the terms  
or provisions thereof.

GEORGIA-PACIFIC CORPORATION  
(Permittee)

By Mr. Sheehan  
Vice President